

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
March 25, 2014**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, March 25, 2014 at 7:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

Jose Luis Aguilar	Raul Rodriguez
Kent Bratcher	Bill Rogers
Terry Hill	Nora Sanchez
Manuel Madrid Jr.	

The following were absent:
Jeff Youtsey

Also present:
Aubrey Hobson, City Clerk-Treasurer
John Caraway, City Attorney

It was determined that a quorum was present. The invocation was given by Councilor Rodriguez, and all joined in the Pledge of Allegiance.

New Requests for City Facilities

Artesia MainStreet has requested the use of Main Street between 1st and 7th Streets on Saturday, May 3, 2014 from 8:00 AM to 5:00 PM for the Artesia Annual Art Walk and Boots to fill. Councilor Rodriguez moved to approve this request. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Consent Agenda

Councilor Rodriguez moved to approve the Consent Agenda as written. The motion was seconded by Mayor Pro tem Hill and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: * March 11, 2014
2. Consideration of Bids:
3. Contracts, Leases and Agreements:
4. Appointments:
5. Resignations:
 - A. Accept the resignation of Nicholas C. Moody, Solid Waste Department Part-time Equipment Operator effective March 30, 2014
6. Dates of Hearing:
 - A. Permission to set a public hearing for April 22, 2014 for consideration of an ordinance for replat of Lots 2,4,6,8,10 & 12, Block 19, Clayton and Stegman Addition located on West Grand Avenue is Sec.17, T17S, R26E to form First United Methodist Tract
 - B. Permission to set a public hearing for April 22, 2014 for consideration of rezone for Charlie H. Smith Addition, Block 1, Lot 8, located at the southwest corner of Highway 82 West and South 33rd Street, from SA-2 "Suburban Acreage 2" to "C" commercial, Section 13, T17S, R25E

- C. Permission to set a public hearing for April 22, 2014 for consideration of replat of Charlie H. Smith Addition, Block 1, Lots 1 through 8 located at the southwest corner Highway 82 West and South 33rd Street, Section 13, T17S, R25E to form the Jehovah Witness Church Tract
7. *Travel and Training:
- A. Infrastructure – Permission for one (1) employee to attend the 2014 APWA – NM Spring conference in Albuquerque, NM. Request actual expenses
 - B. F&A – Permission for one (1) employee to attend the Rural Water conference in Albuquerque, NM and attend a meeting with PERA in Santa Fe, NM. Request actual expenses
 - C. Fire – Permission for one (1) employee to attend the NFPA 450 Technical Committee meeting in Las Vegas, NV. Request actual expenses
 - D. Streets – Permission for four (4) employees to attend the Holly Frontier Bi-annual County workshop in Ruidoso, NM. Request actual expenses
 - E. Wastewater – Permission for two (2) employees to attend the Compost Operator Certification course in Carlsbad, NM. Registration is the only cost
 - F. F&A – Permission for one (1) employee to attend the NMLZO Semi-annual meeting in Farmington, NM. Request actual expenses
 - G. Commission on Aging – Permission for one (1) employee to attend the Line Dance workshop in Lubbock, TX. Request actual expenses
 - H. Commission on Aging – Permission for one (1) employee to attend the 2014 NM Line Dance Jamboree in El Paso, TX. Request actual expenses
 - I. Infrastructure – Permission for one (1) employee to attend the Administrative Assistant conference in El Paso, TX. Request actual expenses
 - J. Infrastructure – Permission for one (1) employee to attend a Project Management workshop in Albuquerque, NM. Request actual expenses
 - K. Garage – Permission for three (3) employees to attend the Diagnosing & Repairing Auto HVAC Systems class in Roswell, NM. Request actual expenses
 - L. F&A – Permission for one (1) employee to attend the ARMA Rio Grande conference: ORDER! Are You Ready for Court in Albuquerque, NM. Request actual expenses
 - M. HR – Permission for one (1) employee to attend the Human Resource course in Carlsbad, NM. Registration is the only cost
8. Use of Facilities *(approval contingent upon receipt of all applicable fees, license(s) and dept approvals):*
9. Routine Requests for City Facilities:
- A. Chris Wiles representing the AHS Tennis Team has requested the use of the Tennis Courts and restrooms at Jaycee Park all day on Friday, April 4, 2014 and Saturday, April 5, 2014 for a High School Tennis tournament
10. Budgeted Items:
- A. Water - Purchase of truck with crane *(line item transfer required)*
 - B. Fire – Purchase of:
 - 1) Hose (1 ¾", 3" and 5")
 - 2) FF Bunkers (various sizes)
 - 3) Rope (all sizes)
 - 4) SCBA Mask and components
 - 5) Chairs and Tables for Station 2 training room and Station 1
 - 6) Chairs for both stations dayrooms
 - 7) 2 "in-cab" Communication systems for both Engines
11. Non-budgeted Items:
12. *Payment of Bills

Public Hearing

Mayor Burch opened the meeting for public hearing for the following:

1. Consideration and approval of an ordinance for Heathcliff Place, Lots 2, 3 & 4 Replat, located east of Heath Street and north of W. Hermosa Drive in Sec. 17, T17S, R26E.

Code Enforcement Officer Cheryl Hinkle reported that this replat is being submitted to clean up the lot lines and the area one large lot. Ms. Hinkle reported that the Planning and Zoning Commission has recommended approval.

No public comment was received.

Councilor Rodriguez moved to approve the Heathcliff Place, Lots 2, 3, & 4 Replat, Ordinance No. 929. The motion was seconded by Councilor Rogers and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez

Nay: none

the motion passed.

ORDINANCE NO. 929

2. Consideration and approval of an ordinance for Original Town of Artesia – Freeman Street Vacation, located east of Hwy 285 and north of E. Main Street in Section 8 & 9, T 17S, R26E.

Ms. Hinkle reported that Navajo Refining has requested that the city vacate Freeman Street north of Main. The street runs directly into the refinery and Navajo is willing to accept the maintenance of the street. It was noted that Airgas will continue to have access as needed to their building. Planning and Zoning Commission has recommended approval.

No public comment was received.

Councilor Rodriguez moved to approve the Original Town Of Artesia – Freeman Street Vacation, Ordinance No. 930. The motion was seconded by Mayor Pro tem Hill and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez

Nay: none

the motion passed.

ORDINANCE NO. 930

Comments from Public Officials and Contracted Services

Mindy Bernal, representing Artesia General Hospital, gave a presentation on the services available at the Senior Care Unit.

L Susan Scott, Deputy Manager for Communications for the Waste Isolation Pilot Project (WIPP), presented information about the radioactive release incidents in February. Ms. Scott assured the Council that the citizens in Artesia were not in a harmful situation and that they are currently investigating the source of the radiation leak.

Dr. Russell Hard, representing the Carlsbad Environmental Monitoring and Research Center, reported on the air quality sampling that has taken place since the radioactive release incidents. Dr. Hardy reported that they do not expect to find significant radiation, however the Center offers a whole body scan for any resident within 100 miles of WIPP, if they feel they have been exposed.

Personnel

Councilor Rodriguez, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, moved to hire David Crow to the position of Street Department Equipment Operator, at a salary of \$2,141 per month (CA16). The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Mayor Pro tem Hill, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, moved to hire Jeremy Grayson to the position of Water Department Technician, at a salary of \$2,037 per month (CA14). The motion was seconded by Councilor Madrid and upon vote, the motion passed.

L Councilor Rodriguez, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, moved to hire Beth Hahn to the position of Police – Uncertified Officer, at a salary of \$2,879 per month (CA28). The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Community Development

Code Enforcement Officer Cheryl Hinkle presented a request from Rodney Shaw for an extension of time for the resolution of condemnation of 611 S. Roselawn Avenue. Mr. Shaw reported that he is working on making the purchase, but there were several unforeseen circumstances and would now request an additional 60 days to accomplish the task. Councilor Bratcher moved to approve a 60-day extension to the resolution of condemnation at 611 S. Roselawn. The motion was seconded by Mayor Pro tem Hill and upon vote, the motion passed.

L Ms. Hinkle requested condemnation of structures at 309 W. Cleveland. She reported that there had been a fire at the structure on March 4th, but that Filiberto Sosa, the owner stated that he did not have the funds to fix the property. His ex-wife, Lorraine Hinojos also met with Ms. Hinkle and was also presented with the options for the property. On Friday, March 21st, a Warranty Deed was presented signing the property over to Rogelio Chavia. Ms. Hinkle advised Mr. Chavia to attend this meeting to present his case, and has not shown up. As a result, Ms. Hinkle recommends approval of condemnation, payment of back taxes and to proceed with foreclosure. Councilor Bratcher moved to approve the condemnation of 309 W. Cleveland, to pay the back taxes and to begin foreclosure proceedings, Resolution No. 1534. The motion was seconded by Councilor Sanchez and upon vote, the motion passed.

RESOLUTION NO. 1534

Infrastructure

Infrastructure Director Byron. Landfair reported on the status of projects.

Mayor

Councilor Rodriguez, moved that in accordance with 10-15-1-H(2) & (8), the Council and Mayor go into executive session regarding limited personnel matters (the employment status of a Police Department employee) and the purchase of real property and/or water rights. The motion was seconded by Councilor Bratcher and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez

Nay: none

the motion passed.

Council recessed to executive session at 8:55 p.m.

Council reconvened at 9:40 p.m.

Councilor Rodriguez moved that the only matters discussed in executive session pertained to the limited personnel or the purchase of real property and/or water rights, and no action was taken. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

There being no further business to come before the Council, the meeting adjourned at 9:42 p.m. March 25, 2014.


Mayor

ATTEST:


City Clerk